

adjustment for location pursuant to § 1041.53:

August through March..... \$1.36
April through July..... 1.13

(2) Any amount by which the effective supply-demand adjustment for the month computed pursuant to Part 1036 of this chapter (Northwestern Ohio order) differs from a minus 25 cents.

(Secs. 1-19, 48 Stat. 31, as amended; 7 U.S.C. 801-874)

Effective date: July 5, 1966.

Signed at Washington, D.C., on July 1, 1966.

GEORGE L. MEHREN,
Assistant Secretary.

[F.R. Doc. 66-7376; Filed, July 5, 1966;
8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER C—EXPORT PROGRAMS

PART 1490—PAYMENTS ON EXPORTS OF CERTAIN KINDS OF TOBACCO

Subpart—Tobacco Export Program

Subpart—Tobacco export program—
Revision I:

The Tobacco Export Regulations issued by Commodity Credit Corporation and published in 31 F.R. 6862 and 7556 are hereby revised and reissued.

Sec.	
1490.1	General.
1490.2	Definitions.
1490.3	Export payment and rate.
1490.4	Eligible tobacco.
1490.5	Eligible exporter.
1490.6	Contracts to export tobacco.
1490.7	Application for tobacco export payment and evidence of export.
1490.8	Reentry or transshipment.
1490.9	Assignments and setoffs.
1490.10	Records and accounts.
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1490.12	Amendment and termination.

AUTHORITY: The provisions of this subpart are issued under secs. 4, 5, 62 Stat. 1070, as amended, 15 U.S.C. 714(b).

§ 1490.1 General.

The regulations in this subpart state the terms and conditions of a tobacco export program under which Commodity Credit Corporation, an agency and instrumentality of the United States within the Department of Agriculture, will make a cash payment to an exporter on exportation of eligible tobacco to an eligible country. The tobacco must have been exported by the exporter on or after the date of publication of this revised subpart. This revised subpart and any amendments hereto are hereinafter called "this program." Export payment will be made on submission of acceptable evidence of compliance with the provisions of this program. The regulations appearing in 31 F.R. 6862 and 7556 shall apply to exports of eligible tobacco exported prior to the publication of this program.

§ 1490.2 Definitions.

(a) The term "CCC" means Commodity Credit Corporation.

(b) The term "ASCS" means Agricultural Stabilization and Conservation Service.

(c) The term "eligible country" means any destination outside the United States other than any country or area for which an export license is required under regulations issued by the Bureau of International Commerce, U.S. Department of Commerce, unless a license for shipment or transshipment thereto has been obtained from such bureau.

(d) (1) The terms "export" and "exportation" mean, except as hereinafter provided, a shipment from the United States destined to an eligible country with the intent that the tobacco shall become a part of the mass of goods of the eligible country. Tobacco so shipped shall be considered to have been exported on the date of loading as shown on the applicable on-board vessel ocean bill of lading or other document authorized by this program to be furnished in lieu of such bill of lading, or if shipment from the United States is by truck or rail, the date the shipment clears U.S. Customs. If any of the tobacco is lost, destroyed, or damaged after loading on board a ship, for export, exportation shall be considered to have been as of the date of loading as shown on the on-board vessel ocean bill of lading or other document authorized by this program to be furnished in lieu of such bill of lading, or as of the latest date appearing on the loading tally sheet or similar documents if the loss, destruction, or damage occurs subsequent to loading aboard ship but prior to issuance of on-board vessel ocean bill of lading or such other document, except that, if the "lost" or "damaged" tobacco remains in the United States, it shall not be considered as exported if CCC determines that the condition of the "lost" or "damaged" tobacco is such that it can be disposed of in the domestic market in a manner which will adversely affect CCC's price support or export programs.

(2) Notwithstanding any of the provisions of this program, a shipment of eligible tobacco pursuant to a sale to a U.S. Government Agency shall not qualify as an export or exportation. The term "U.S. Government Agency" means any corporation wholly owned by the Federal Government, and any department, bureau, administration or other unit of the Federal Government as, for example, the Departments of the Army, Navy, and Air Force, the Agency for International Development, the Army and Air Force Exchange Service, and the Panama Canal Company. A sale to a foreign buyer, including a foreign government, though financed with funds made available by a U.S. Government Agency such as the Agency for International Development or the Export-Import Bank, is not a sale to a U.S. Government Agency unless the tobacco is transferred or caused to be transferred by such buyer to a U.S. Government Agency.

(e) The term "weight certificate" means a certificate executed by a weighman licensed by a State or other governmental authority, or by any other person acceptable to CCC, which shows the gross weight of tobacco and the container in which it is exported, or the net weight of the exported tobacco.

(f) The term "United States" means the 50 States of the United States, the District of Columbia, Puerto Rico, and the territories and possessions of the United States.

§ 1490.3 Export payment and rate.

(a) Except as otherwise provided in section 1490.6 with respect to exports of eligible tobacco pursuant to a contract with CCC, CCC will make a payment on exports of eligible tobacco at the rate in effect on the date of exportation based on the unstemmed leaf packed weight, or its equivalent, of the eligible tobacco exported.

(b) The export payment rate shall be as follows:

(1) \$10 per hundredweight for (i) Flue-cured tobacco (types 11-14) of the 1960, 1961, and 1962 crops, (ii) Fire-cured tobacco (type 21) of the 1959, 1960, 1961, and 1962 crops, (iii) Fire-cured tobacco (types 22-23) of the 1960, 1961, and 1962 crops and (iv) dark air-cured tobacco (types 35-36) of the 1961 and 1962 crops. If such tobacco was purchased from CCC loan stocks (tobacco pledged to CCC as security for a price support loan) under terms and conditions providing for or authorizing a refund of part of the purchase price upon proof of exportation, the exporter's application for export payment under this program shall constitute a waiver of his right to such refund. If the purchaser of the tobacco was other than the exporter, the exporter shall submit a waiver of the right to such refund signed by the person entitled thereto and, if the exporter does not furnish such a waiver, the rate of payment shall be as provided in subparagraph (2) of this subsection.

(2) \$5 per hundredweight for all other kinds and crops of eligible tobacco.

(c) CCC reserves the right to reduce the export payment rate, except that, any rate reduction (i) shall be effective only after expiration of 90 days following publication thereof in the FEDERAL REGISTER and (ii) shall not apply to any contract entered into with CCC under section 1490.6 of this subpart.

§ 1490.4 Eligible tobacco.

(a) Tobacco eligible for export payment (hereinafter called "eligible tobacco") under this program shall be tobacco which is:

(1) Unstemmed leaf tobacco, or processed tobacco, such as strip, short cigar filler, blackfat, and cut tobacco, not contained in manufactured products such as, but not limited to, cigarettes, cigars, snuff, or smoking or chewing tobacco packaged for consumer use;

(2) Produced in the United States;

(3) Exported on or after date of publication of this program; and

(4) Composed of one or more of the following kinds and types: (i) Flue-

cured, types 11-14, (ii) burley, type 31, (iii) Fire-cured, types 21-23, (iv) dark air-cured, types 35-36, (v) Virginia sun cured, type 37, (vi) cigar binder, types 51-52, (vii) cigar filler & binder, types 42-44, 53-55, and (viii) Puerto Rican, type 46.

§ 1490.5 Eligible exporter.

An exporter, to be eligible to participate in this program, must be a person (an individual, corporation, partnership, association or other business entity) who (a) is engaged in the business of buying or selling tobacco for export, (b) maintains a bona fide business office in the United States for this purpose and (c) has in such office an agent who is authorized to receive service of process upon behalf of such person.

§ 1490.6 Contracts to export tobacco.

(a) An exporter who desires to obtain an export payment rate which will not be subject to reduction under paragraph (c) of § 1490.3 may submit an offer, during a 90-day period beginning with the date of publication of a rate reduction in the FEDERAL REGISTER, to export eligible tobacco of the then current or prior crops. A crop shall be identified by the calendar year in which the marketing year (July 1 for Flue-cured tobacco and October 1 for other kinds of tobacco) for such crop began. If such an offer is accepted by CCC, an exporter who otherwise complies with this program shall be entitled to receive an export payment at the rate in effect on the date the offer is submitted. The exporter's offer shall state:

(1) That the offer is subject to the terms and conditions of this program in effect at the time the offer was submitted;

(2) The kind and type of tobacco of the then current or prior crops or both which the exporter agrees to export;

(3) The net quantity of unstemmed eligible tobacco, or the unstemmed leaf packed weight equivalent of eligible tobacco, the exporter agrees to export; and

(4) That the tobacco shall be exported within 48 months following the month of acceptance of the exporter's offer by CCC.

(b) The offer, signed by an authorized official of the offeror, shall be submitted to:

Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250.

(c) Any offer containing terms and conditions other than those authorized in this program will not be accepted. An acceptance by CCC of an exporter's offer will be made by letter to the exporter giving a contract acceptance number. The contract resulting from such acceptance shall consist of the exporter's offer, CCC's letter of acceptance, and the terms and conditions of this program in effect on the date of submission of the offer. The date of the CCC letter of acceptance will be the date of the contract.

(d) The exporter shall export or cause exportation of the quantity of eligible tobacco specified in his contract not later than the final date for exportation

specified therein, or within such extension of the export period as may for good cause be approved in writing by CCC. If an extension of the exportation period is approved, it may be made subject to such reduction in the export payment rate as may be specified by CCC. The extension may be made before or after the expiration of the export period.

(e) (1) Failure of the exporter to comply with all of the terms and conditions of his contract with CCC will cause serious and substantial losses to CCC, such as damage to its export and price support programs and the incurrance of administrative and other costs. Inasmuch as it will be difficult, if not impossible, to establish the exact amount of such losses, the exporter, in submitting his offer, agrees that the liquidated damages provided in subparagraph (2) of this paragraph (e) are reasonable estimates of CCC's probable actual damages in the event of his breach of the contract.

(2) The exporter shall pay to CCC for each day of delay in exportation after the final date therefor, liquidated damages of 2 cents per hundredweight of tobacco not exported by the final date for exportation, except that such liquidated damages shall not exceed \$1 per hundredweight of such tobacco. CCC shall not make any export payment under the contract with respect to eligible tobacco exported more than 90 days after the final date for export.

§ 1490.7 Application for tobacco export payment and evidence of export.

(a) The exporter shall submit an original and one copy of an application for tobacco export payment on the form prescribed by CCC to the Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250. Supplies of the application form may be obtained from that office. The exporter, in order to receive an export payment under this program, must submit the application required by this section within 365 days from the date of export. If the tobacco is exported pursuant to a contract of sale with a foreign buyer, the exporter shall certify either (i) that such contract of sale was entered into after the publication of this program in the FEDERAL REGISTER or (ii) that the sale price in the contract of sale with the foreign buyer was reduced by an amount equal to the export payment for which application is made. If the tobacco was acquired prior to publication of this program in the FEDERAL REGISTER for export under a barter contract with CCC, the exporter shall submit the certification required by clause (ii) of the preceding sentence. The exporter shall also certify as to the kind, type, form (unstemmed leaf, strips, blackfat, etc.) and quantity of tobacco exported and, in the event the export is made under a contract entered into under section 1490.6, the particular crop or crops of tobacco exported and the contract acceptance number. If the tobacco exported is of a kind and crop specified in § 1490.3(b), the exporter shall also certify as to the particular crops exported and shall state whether

or not it was purchased from CCC loan stocks under provisions requiring refund of part of the purchase price upon proof of exportation. Each application for export payment shall be supported by the following applicable documentary evidence:

(1) A statement showing, by kind and type, the unstemmed-leaf packed-weight equivalent of any eligible tobacco exported in processed form. Such unstemmed-leaf packed-weight equivalent shall be based on production records or other appropriate documents and shall be the sum of the following amounts: (i) The number of pounds of unstemmed eligible tobacco used in preparing the processed tobacco, (ii) the number of pounds of eligible tobacco obtained in strip form from an association handling CCC loan stocks and used in preparing the processed tobacco, multiplied by 1.29 and (iii) the number of pounds of eligible tobacco, farm weight, that was packed in other than unstemmed leaf form and used in preparing the processed tobacco, multiplied by 0.89 for Flue-cured and burley; 0.81 for Fire-cured, type 21; 0.90 for Fire-cured, types 22-23; and dark Air-cured, types 35-36; and 0.85 for cigar types. If the tobacco exported was only part of a quantity processed during a period covered by production records, the unstemmed-leaf packed-weight equivalent of the part exported may be determined by multiplying the pounds of unstemmed leaf or unstemmed-leaf equivalent used in preparing the total quantity by the percent that the pounds exported is to the total pounds of strips, pickings, and scrap produced during the production period, except that the part exported may not contain a larger percentage of pickings, scraps and stems than the percentage that such by-products are of the total processed tobacco prepared.

(2) If the tobacco exported was purchased from CCC loan stocks under terms and conditions providing for or authorizing a refund of part of the purchase price upon proof of exportation, the date and number of the association invoice under which the tobacco was purchased and the waiver of right to a refund required by § 1490.3.

(3) In the case of exportation by water, a nonnegotiable copy of an on-board vessel ocean bill of lading showing the number of containers of tobacco, the gross weight of the containers including the tobacco therein, the date and place of loading on board vessel, the name of the vessel, the name and address of the exporter and of the consignee, and the destination.

(4) In the case of exportation by rail or truck, a copy of the bill of lading under which the tobacco was shipped, together with (i) an authenticated landing certificate issued by an official of the Government of the country to which the tobacco was exported, or (ii) a copy of Shipper's Export Declaration authenticated by the appropriate U.S. customs official. The bill of lading and supporting export form (landing certificate or Shipper's Export Declaration) must apply to the same shipment of tobacco, and such

forms, or properly authenticated attachments, must show the number of containers of tobacco, the gross weight of containers including the tobacco therein, the date and place of entry into the country of destination, and the name and address of both the exporter and the person to whom it was shipped;

(5) A weight certificate applicable to the leaf or processed tobacco dated within 60 days prior to the date of export.

(6) A copy of the exporter's invoice to the foreign buyer or to the consignee showing the net weight of the leaf or processed tobacco exported. If the weight certificate shows only the gross weight of the leaf or processed tobacco, the exporter shall execute the following certification on the copy of the invoice submitted:

I certify that the net weights on this invoice were determined from the gross weights shown on the weight certificate applicable to the tobacco covered by this invoice in accordance with usual trade practices.

(7) If the exporter establishes that for good cause he is unable to supply the specified documentary evidence of export, CCC may accept such other evidence of export as will establish to its satisfaction that the exporter has qualified for an export payment under this program.

(b) Payment shall be made to the eligible exporter whose name appears as shipper or consignee on the bill of lading or other evidence of export required by paragraph (a) of this section. If the shipper or consignee named in the export bill of lading or other evidence of export is other than the exporter filing the application for tobacco export payment, a waiver must be submitted from the shipper or consignee named in such bill of lading or other evidence of export waiving any interest in the claim for payment in favor of the exporter filing such application.

§ 1490.8 Reentry or transshipment.

If any quantity of tobacco with respect to which an export payment has been made under this program is reentered into the United States in unmanufactured, processed, or manufactured form, or while in the course of shipment is diverted to any ineligible country, whether or not such reentry or diversion is caused by the exporter, or if any quantity of tobacco with respect to which an export payment has been made under this program is transshipped or caused to be transshipped by the exporter to any country or destination not an eligible country, the exporter shall promptly refund to CCC any export payment made with respect to the quantity of tobacco so reentered or transshipped. The exporter shall not be required to make such refund if he establishes to the satisfaction of CCC that (a) the reentry was not due to his fault or negligence and promptly after he received notice of reentry he exported the reentered tobacco, or an equivalent quantity of

eligible tobacco with respect to which no export payment has been made, to an eligible country or (b) the tobacco reentered was lost, damaged, or destroyed and its physical condition is such that its reentry will not adversely affect CCC's price support or export programs.

§ 1490.9 Assignments and setoffs.

(a) No assignment shall be made by the exporter of any export payment due under this program, except that subject to paragraph (b) of this section the exporter may assign the payment due the exporter under an application for payment on the form prescribed by CCC to any trust company, Federal lending agency, or other financing institution and, subject to the approval of the Executive Vice President of CCC, assignment may be made to any other person: *Provided*, That such assignment shall be recognized only if and when the assignee thereof files written notice of the assignment on Form CCC-251, "Notice of Assignment," together with a signed copy of the instrument of assignment, in accordance with the instructions on Form CCC-251: *And provided further*, That any such assignment shall cover all amounts payable and not already paid under such application, shall not be made to more than one person, and shall not be subject to further assignment, except that any such assignment may be made to one person as agent or trustee for two or more persons. The "Instrument of Assignment" may be executed on Form CCC-252, or the assignee may use his own form of assignment. Forms may be obtained from the:

Fiscal Division, ASCS, U.S. Department of Agriculture, Washington, D.C. 20250.

(b) If the exporter is indebted to CCC, the amount of such indebtedness may be set off against payments due the exporter under the application form provided for in § 1490.7, except that if an assignment of such payment has been made CCC may set off (1) any amount due CCC with respect to the application for such payment, and (2) any other amounts due CCC if CCC notifies the assignee of such other amounts to be set off at the time acknowledgment was made of the receipt of notice of such assignment. Setoffs as provided herein shall not deprive the exporter of any right he might otherwise have to contest the justness of the indebtedness involved in the setoff action either by administrative appeal or by legal action.

§ 1490.10 Records and accounts.

Each exporter shall maintain complete and accurate records of transactions under this program, including contracts of purchase and sale, and storage and other records which will establish that the tobacco upon which export payment is made to the exporter is eligible for payment under this program. Such records shall be available during regular business hours for inspection and audit by authorized employees of the U.S. Depart-

ment of Agriculture, and shall be preserved for 3 years after date of export.

§ 1490.11 Officials not to benefit.

No member or delegate to Congress or resident Commissioner shall be admitted to any benefit that may arise from any provision of this program, but this prohibition shall not be construed to extend to a payment made to a corporation for its general benefit.

§ 1490.12 Amendment and termination.

This program may be amended or terminated by publishing such amendment or termination in the *FEDERAL REGISTER*, except that any such termination shall be effective 90 days after publication of the notice of termination in the *FEDERAL REGISTER*. A notice of termination shall be considered a rate reduction for purposes of §§ 1490.3 and 1490.6. Any such amendment or termination shall not be applicable to exports made prior to the date such amendment or termination becomes effective or to tobacco for which an offer to export has been accepted by CCC in accordance with § 1490.6.

The reporting and/or recordkeeping requirements contained herein have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

Effective date: Upon publication in the *FEDERAL REGISTER*.

Signed at Washington, D.C., on July 1, 1966.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

C. R. ESKILDSEN,
Acting Vice President, Commodity Credit Corporation,
Acting Administrator, Foreign Agricultural Service.

NOTICE TO EXPORTER

The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or reexportation by anyone of any commodities under this program to Cuba, the Soviet bloc or Communist-controlled areas of the Far East including Communist China, North Korea, and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

For all exportations, one of the destination control statements specified in Commerce Department regulations (Comprehensive Export Schedule § 379.10(c)) is required to be placed on all copies of the Shipper's Export Declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

[F.R. Doc. 66-7371; Filed, July 1, 1966; 12:40 p.m.]

Title 14—AERONAUTICS AND SPACE

Chapter I—Federal Aviation Agency

[Docket No. 7464; Amdt. Nos. 21-10, 33-2, 37-6, 43-6, 61-23, 63-6, 91-30, 127-5, 133-2, 141-3, 145-6, 149-1, 183-1]

MISCELLANEOUS AMENDMENTS TO CHAPTER

These amendments update certain cross-references in the Federal Aviation Regulations and make other miscellaneous corrections.

At the time of the recodification, it was necessary to include in the Federal Aviation Regulations cross-references to the Civil Air Regulations or Special Civil Air Regulations where the referenced provision had not yet been recodified. These amendments update all these cross-references in instances where no substantive change is involved. In some instances, the cross-references as updated herein have been anticipated in compilations and reprints of the respective parts of the regulations.

For convenience, a table is utilized to state the changes that can be accomplished by a mere substitution of the proper cross-reference.

The original publication of § 91.101(a) referred to the "Bureau of Commerce" instead of the "Bureau of Customs." This error is being corrected. The introductory sentence of paragraph (b) (5) of Appendix B of Part 141 is corrected by the addition of a line of text that was inadvertently omitted in the recodification.

Since this amendment does not involve any substantive change and does not impose a burden on any person, notice and public procedure thereon are unnecessary, and the amendment may be made effective immediately.

In consideration of the foregoing, Chapter I of Title 14 is amended, effective July 6, 1966, as follows:

1. The sections listed in Column I of the following table are amended by striking out the present cross-references listed in Column II and inserting the "Corrected Cross-References" contained in Column III, in place thereof. In addition, the words "of this chapter" are inserted after all "Corrected Cross-References" where these words do not already appear.

Section affected	Obsolete cross-reference	Corrected cross-reference
Col. I	Col. II	Col. III
21.213(b)	Parts 40, 41, 42	Part 121.
21.223(a) (2)	SR 425C 14	§ 121.207.
21.223(f)	SR 425C 14	§ 121.207.
21.225(a) (2)	SR 425C 14	§ 121.207.
21.225(e)	SR 425C 14	§ 121.207.
33.49(d)	§ 7.405(a)	Part (a)-(f) of § 29.923.
33.57(c)	§ 4b.1(b) (7) and (8).	Appendix C of Part 25.
37.5(a) (3)	§ 1.36	§ 21.143.
43.7(e)	Part 40, 41, 42, or 46.	Part 121 or 127.
43.7(f)	Part 42	Part 121.

Section affected	Obsolete cross-reference	Corrected cross-reference
Col. I	Col. II	Col. III
61.29(a)	§ 61.85, § 61.89, § 61.115, or § 61.119.	§ 61.35(c), § 61.85, § 61.89, § 61.115, or § 61.119.
61.33(b)	Part 60	§§ 91.1 through 91.9 and Subpart B of Part 91.
61.63(a) (1)	Part 60	§§ 91.1 through 91.9 and Subpart B of Part 91.
61.71(a) (1)	Part 60	Part 91.
61.71(c) (1)	Part 60	Part 91.
61.99(a)	Part 60	§§ 91.1 through 91.9 and Subpart B of Part 91.
61.129(a) (1)	Part 60	§§ 91.1 through 91.9 and Subpart B of Part 91.
91.31(c)	Part 1	Part 45.
91.41(e)	§ 1.74	§ 21.191.
91.41(f)	§ 1.24	§ 21.99.
91.45(b) (4)	4b.120(c)	25.67.
91.117(d)	Part 40, 41, 42, 44, or 45.	Part 121, 129, or 135.
91.165	Part 18	Part 43.
91.169(c) (1)	Part 18	Part 43.
127.83	Part 6	Part 27.
127.83	Part 7	Part 29.
127.107(c)	§ 7.18	§ 21.305.
133.19(a) (1)	Part 6 or 7	Part 27 or 29.
133.43(c) (1)	Part 6 or 7	Part 27 or 29.
133.43(c) (2)	Part 6 or 7	Part 27 or 29.
133.47 (intro. par.)	Part 6 or 7	Part 27 or 29.
141.11(d)	Part 20	Part 61.
141.47(d) (2)	Part 43	Part 91.
141.55(b)	Part 3, 4(a), or 4(b).	Part 23 or 25.
141.55(b)	Part 43	Part 91.
141.55(d)	§ 43.30(c)	§ 91.33(d).
141 Appendix A (b) (4) (i).	Parts 43 and 60.	Part 91.
141 Appendix B (b) (4) (i).	Parts 43 and 60.	Part 91.
141 Appendix D (a) (1) (i).	Part 20	Part 61.
145.39(d)	Part 24	Part 65.
145.57(a)	Part 18	Part 43.
145.57(b)	Part 18	Part 43.
149.9(a) (1)	Part 25	Part 65.
149.13(a)	Part 25	Part 65.
183.21(a)	Part 29	Part 67.
183.21(c)	Part 29	Part 67.
183.25(a) (1)	Part 24	Part 65.
183.25(b) (1)	Part 25	Part 65.
183.25(c) (1)	Part 26	Part 65.
183.25(d) (1)	Part 35	Part 63.
183.25(e) (1)	Part 34	Part 63.
183.25(f) (1)	Part 27	Part 65.

2. Part 21 is amended as follows:

a. Section 21.83(a) is amended by striking out the words "§ 91.41 (New) of this chapter, and § 425C (14)." and inserting the words "and §§ 91.41 and 121.207 of this chapter." in place thereof.

b. Section 21.85(d) (3) is amended to read as follows:

(3) The aircraft can be operated safely under the appropriate operating limitations specified in §§ 91.41 and 121.207 of this chapter.

c. Section 21.85(e) is amended by striking out the words "§ 91.41 (New) and §§ 425C §§ 14 and 15) of this section." and inserting the words "§§ 91.41 and 121.207 of this chapter." in place thereof.

3. The subject "Federal Aviation Agency" in paragraph (a) (2) (iii) of Appendix B to Part 63 is amended by striking out the words "To include Parts 63, 91, and 121 of this chapter (Present Parts 40, 41, 42, 43 and 60)." and inserting the words "to include Parts 63, 91 and 121 of this chapter." in place thereof.

4. Part 91 is amended as follows:
a. Section 91.101(a) is amended by striking out the words "Bureau of Commerce" and inserting the words "Bureau of Customs" in place thereof.

b. Section 91.169(a) (1) is amended to read as follows:

§ 91.169 Inspections.

(a) * * *
(1) An annual inspection in accordance with Part 43 of this chapter and has been approved for return to service by a person authorized by § 43.7 of this chapter; or

5. Section 133.43(b) is amended by striking out the words "under Part 43 (present Part 8), or had been approved, irrespective of date of approval, under Part 43 or 44 (present Part 6 or 7)." and inserting the words "under Part 8 of the Civil Air Regulations, or had been approved, irrespective of date of approval, under Part 27 or 29 of this chapter." in place thereof.

6. Part 141 is amended as follows:

a. Section 141.19(a) is amended by striking out the words "pilot certificate and rating under Part 43 of this chapter (present Part 20)," and inserting the words "private or commercial pilot certificate and rating under Part 61 of this chapter," in place thereof.

b. Section 141.43(c) (2) is amended to read as follows:

§ 141.43 Equipment requirements.

(c) * * *
(2) Models, mockups, cutaways, and classroom-size or lecture-size blueprints and diagrams covering the operation and function of instruments and equipment required under §§ 91.25, 91.33, and 91.35 of this chapter and those required under Parts 21, 23, and 27 of this chapter as they relate to the course being taught.

c. The introductory sentence of paragraph (b) (5) of Appendix B of Part 141 is amended to read as follows:

APPENDIX B—FLIGHT TRAINING—COMMERCIAL FLYING SCHOOL

(b) * * *
(5) Basic instrument flying (minimum 10 hours, 5 hours instrument instruction). The specified 10 hours of instrument training shall be given in an airplane in flight. At least 5 hours shall be given by a rated instrument flight instructor; the remaining 5 hours may be given by the holder of a flight instructor certificate with an airplane rating.

(Sec. 313(a), Federal Aviation Act of 1958 (49 U.S.C. 1354(a))

Issued in Washington, D.C., on June 28, 1966.

WILLIAM F. MCKEE,
Administrator.

[F.R. Doc. 66-7311; Filed, July 5, 1966; 8:45 a.m.]

SUBCHAPTER F—AIR TRAFFIC AND GENERAL OPERATING RULES

[Reg. Docket No. 7446; Amdt. 490]

PART 97—STANDARD INSTRUMENT APPROACH PROCEDURES

Miscellaneous Amendments

The amendments to the standard instrument approach procedures contained herein are adopted to become effective when indicated in order to promote safety. The amended procedures supersede the existing procedures of the same classification now in effect for the airports specified therein. For the convenience of the users, the complete procedure is republished in this amendment indicating the changes to the existing procedures.

As a situation exists which demands immediate action in the interests of safety in air commerce, I find that compliance with the notice and procedure provisions of the Administrative Procedure Act is impracticable and that good cause exists for making this amendment effective within less than 30 days from publication.

In view of the foregoing and pursuant to the authority delegated to me by the Administrator (24 F.R. 5662), Part 97 (14 CFR Part 97) is amended as follows:

1. By amending the following automatic direction finding procedures prescribed in § 97.11(b) to read:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
RNO VOR.....	RNO RBN.....	Direct.....	9000	T-dn%.....	1000-2	1000-2	1000-2
Mustang Int.....	RNO RBN.....	Direct.....	9000	C-dn.....	1600-2	1600-2	1600-2
Verdi Int.....	RNO RBN.....	Direct.....	10,000	A-dn.....	2000-3	2000-3	2000-3
Pyramid Int.....	Sparks RBN.....	Direct.....	9000				
Sparks RBN.....	Reno RBN (final).....	Direct.....	7000				

Procedure turn E side of crs, 341° Outbnd, 161° Inbnd, 8700' within 10 miles.

All turns E side of crs, high terrain W.

Minimum altitude over facility on final approach crs, 6700'.

Crs and distance, facility to airport, 161°—2.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.3 miles after passing RNO RBN, turn left, climb to 9000' on 341° crs from RNO RBN within 15 miles.

AIR CARRIER NOTE: Reduction in visibility by sliding scale or local conditions not authorized for takeoff or landing.

%IFR departures must comply with published Reno SID's unless otherwise directed by ATC.

MSA within 25 miles of facility: 000°-090°-9400'; 090°-180°-11,000'; 180°-270°-11,800'; 270°-360°-9300'.

City, Reno; State, Nev.; Airport name, Reno Municipal; Elev., 4411'; Fac. Class., SBH; Ident., RNO; Procedure No. 1, Amdt. 3; Eff. date 21 Ju y 66; Sup. Amdt. No. 2; Dated, 5 Dec. 64

Washoe Int.....	Sparks RBN.....	Direct.....	11,000	T-dn%.....	1000-2	1000-2	1000-2
Wadsworth Int.....	Sparks RBN.....	Direct.....	10,000	C-dn.....	1600-2	1600-2	1600-2
Verdi Int.....	Sparks RBN.....	Direct.....	10,000	A-dn.....	2000-3	2000-3	2000-3
Steamboat Int.....	Sparks RBN.....	Direct.....	9000				
Reno VOR.....	Sparks RBN.....	Direct.....	9000				
Mustang Int.....	Sparks RBN.....	Direct.....	9000				
Pyramid Int.....	Sparks RBN (final).....	Direct.....	8000				
Truckee Int.....	Sparks RBN.....	Direct.....	10,500				

Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 9000' within 10 miles. Beyond 10 miles not authorized.

Minimum altitude over Sparks RBN on final approach crs, 8000'; over Reno RBN, 6700'.

Crs and distance, Sparks RBN to airport, 161°—11.1 miles; RNO RBN to airport, 161°—2.3 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 11.1 miles after passing Sparks RBN, 2.3 miles after RNO RBN, turn left direct to Sparks RBN climbing to 10,000. Hold N, Sparks RBN, 1-minute pattern, 162° Inbnd, right turns.

AIR CARRIER NOTE: Reduction in visibility by sliding scale or local condition not authorized for takeoff or landing.

%IFR departures must comply with published Reno SID's or as directed by ATC.

MSA within 25 miles of facility: 000°-090°-9400'; 090°-180°-11,800'; 180°-270°-11,800'; 270°-360°-9800'.

City, Reno; State, Nev.; Airport name, Reno Municipal; Elev., 4411'; Fac. Class., MHW; Ident., SPK; Procedure No. 2, Amdt. 2; Eff. date, 21 July 66; Sup. Amdt. No. 1; Dated, 20 Mar. 65

2. By amending the following very high frequency omnirange (VOR) procedures prescribed in § 97.11(c) to read:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Pyramid Int/DME Fix.....	RNO VOR.....	Direct.....	9000	T-dn%.....	1000-2	1000-2	1000-2
Mount Rose DME Fix.....	RNO VOR.....	Direct.....	9000	C-dn.....	2000-2	2000-2	2000-2
Verdi Int/DME Fix.....	RNO VOR.....	Direct.....	10,000	A-dn.....	2500-3	2500-3	2500-3
Steamboat Int/DME Fix.....	RNO VOR.....	Direct.....	9000				

Procedure turn S side crs, 049° Outbnd, 229° Inbnd, 9000' within 10 miles.

All turns S side of crs, high terrain, N.

Minimum altitude over facility on final approach crs, 8100'.

Crs and distance, facility to airport, 229°—5.1 miles.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles after passing RNO VOR, turn right, climb to 9000' on RNO VOR, R 049°, within 10 miles of VOR.

CAUTION: If contact not established at minimums, missed approach must be started immediately due to high terrain, W.

AIR CARRIER NOTE: Reduction in visibility by sliding scale or local conditions not authorized for takeoff and landing.

NOTE: When authorized by ATC, DME may be used within 10 to 15 miles at 10,000 between RNO, R 330° clockwise to RNO, R 117° to position aircraft for straight-in approach with the elimination of procedure turn.

*9000' authorized if DME used to identify Verdi DME Fix.

%IFR departures must comply with published Reno SID's or as directed by ATC.

MSA within 25 miles of facility: 000°—180°—9500'; 180°—270°—11,800'; 270°—360°—9200'.

City, Reno; State, Nev.; Airport name, Reno Municipal; Elev., 4411'; Fac. Class., BVORTAC; Ident., RNO; Procedure No. 1, Amdt. 15; Eff. date, 21 July 66; Sup. Amdt. No. 14; Dated, 24 July 65

3. By amending the following instrument landing system procedures prescribed in § 97.17 to read:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of the Federal Aviation Agency. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Washoe Int.....	Sparks RBN.....	Direct.....	11,000	T-dn%.....	1000-2	1000-2	1000-2
Wadsworth Int.....	Sparks RBN.....	Direct.....	10,000	C-dn.....	1000-2	1000-2	1000-2
Verdi Int.....	Sparks RBN.....	Direct.....	10,000	A-dn.....	1500-3	1500-3	1500-3
Steamboat Int.....	Sparks RBN.....	Direct.....	9000				
RNO VOR.....	Sparks RBN.....	Direct.....	9000				
Mustang Int.....	Sparks RBN.....	Direct.....	9000				
Truckee Int.....	Sparks RBN.....	Direct.....	10,500				
Pyramid Int.....	Sparks RBN (final).....	Direct.....	8000				

Procedure turn W side of crs, 342° Outbnd, 162° Inbnd, 9000' within 10 miles.

Minimum altitude over SPK RBN or 11.4-mile DME Fix on final approach crs, 8000'; R 303°, RNO VOR or 7.9-mile DME Fix, 7150'; OM or 6-mile DME Fix, 6342'; MM or 2.5-mile DME Fix, 5411'.

Crs and distance, facility to airport MM, 162°—2.3 miles.

Minimum altitude at glide slope interception Inbnd, 8000'.

Altitude of glide slope and distance to approach end of runway at OM, 6342°—5.8 miles. Minimum altitude on glide slope, 5411'.

If visual contact not established upon descent to authorized landing minimums, over MM/RBN/2.5-mile DME Fix, turn left, proceed direct to Sparks RBN climbing to 10,000'.

Hold N, Sparks RBN, 1-minute pattern, right turns, 162° Inbnd.

%IFR departures must comply with published Reno SID's, or as directed by ATC.

*1000-2 required when glide slope not utilized.

City, Reno; State, Nev.; Airport name, Reno Municipal; Elev., 4411'; Fac. Class., ILS; Ident., I-RNO; Procedure No. ILS-16, Amdt. 2; Eff. date, 21 July 66; Sup. Amdt. No. 1; Dated, 27 Feb. 65

Muskgrove Int.....	Franktown Int.....	Direct.....	10,700	T-dn%.....	1000-2	1000-2	1000-2
Franktown Int.....	Washoe Int.....	Direct.....	9700	C-dn.....	900-2	900-2	900-2
Virginia City Int.....	Gold Hill Int.....	Direct.....	10,000	A-dn.....	1300-3	1300-3	1300-3
Gold Hill Int.....	Washoe Int.....	Direct.....	9700				
Washoe Int.....	12-mile DME Fix, BC localizer.....	Direct.....	8200				
12-mile DME Fix, BC localizer.....	9-mile DME Fix, BC localizer.....	Direct.....	7500				
9-mile DME Fix, BC localizer.....	7-mile DME Fix, BC localizer.....	Direct.....	6600				
7-mile DME Fix, BC localizer.....	4-mile DME Fix, BC localizer.....	Direct.....	6000				
4-mile DME Fix, BC localizer.....	1.5-mile DME Fix, BC localizer.....	Direct.....	5311				

Procedure turn not authorized. Final approach crs, 342° Inbnd from Washoe Int.

Minimum altitude over Washoe Int, 9700'; 12-mile DME Fix on final approach crs, 8200'; over 9-mile DME Fix, 7500'; over 7-mile DME Fix, 6900'; over 4-mile DME Fix, 6000'; over 1.5-mile DME Fix, 5311'.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at 1.5-mile DME Fix, climb straight ahead to 7000', right turn, continue climb to 9000' direct RNO VOR, thence on the 039° radial within 10 miles of RNO VOR.

NOTE: DME should not be used to determine aircraft position over runway threshold, or runway touchdown point. DME located at glide slope.

%IFR departures must comply with RNO SID's unless otherwise directed by ATC.

City, Reno; State, Nev.; Airport name, Reno Municipal; Elev., 4411'; Fac. Class., ILS; Ident., I-RNO; Procedure No. ILS-34 (back crs), Amdt. Orig.; Eff. date, 21 July 66

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Sargo Int (I-SAN 10.1 DME).....	OM (final) (I-SAN 2.9 DME).....	Direct.....	#1000	T-dn*.....	300-1	300-1	200-1/4
Bostonia Int.....	OM.....	Direct.....	2500	C-dn.....	800-2	800-2	800-2
SAN VOR.....	OM.....	Direct.....	1500	S-dn-9*.....	400-3/4	400-3/4	400-1
10-mile I-SAN DME Fix on SAN, R 326°.....	Counterclockwise to 10-mile I-SAN DME Fix on I-SAN front crs.	10-mile arc, CHAN 46.	2500	A-dn.....	800-2	800-2	800-2

Radar available.
 Procedure turn S side of crs, 272° Outbnd, 092° Inbnd, 1500' within 10 miles.
 Minimum altitude at 4.3 DME on final approach crs, 1500'; over OM (2.9 DME), 1020'.
 Crs and distance, OM to airport, 092°—2.7 miles.
 #Minimum altitude at glide slope intercept 4.3 DME 1500', altitude of glide slope and distance to approach end of runway at OM, 1020°—2.7 miles, at MM, 352°—0.7 mile.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished at MM, make immediate left-climbing turn to 2500' on SAN VORTAC, R 146° and R 326° or 331° crs from LMM to Mount Dad Int (SAN R 326°, 3.2 DME), or when directed by ATC, make a right-climbing turn to 2000' on SAN VORTAC, R 140°, within 10 miles.
 NOTE: If DME is lost, proceed direct to LOM at 2500'. DME should not be used to determine aircraft position over MM, runway threshold, or runway touchdown point.
 DME located at glide slope site.
 CAUTION: Buildings and terrain, 472°—0.5 mile E of airport.
 *600-1 required if glide slope not utilized, 600-3/4 authorized, except for 4-engine turbojet aircraft with operative ALS.
 *500-1 required for Runway 9.

City, San Diego; State, Calif.; Airport name, San Diego International-Lindberg Field; Elev., 15'; Fac. Class., ILS; Ident., I-SAN; Procedure No. ILS-9, Amdt. 6; Eff. date, 21 July 66; Sup. Amdt. No. 5; Dated, 16 Oct. 65

Bostonia Int.....	Sweetwater Int (I-SAN 10.1 DME).....	Direct.....	3700	T-dn*.....	300-1	300-1	200-1/4
Sweetwater Int (I-SAN 10.1 DME).....	Encanto Int (I-SAN 6.0 DME) (final).....	Direct.....	1600	C-dn.....	800-2	800-2	800-2
10-mile I-SAN DME Fix on SAN, R 076°.....	Clockwise to 10-mile I-SAN DME Fix on I-SAN back crs.	10-mile arc CHAN 46.	3700	A-dn.....	800-2	800-2	800-2

Radar available.
 Procedure turn not authorized. Final approach crs, Inbnd 272°.
 Minimum altitude over Encanto Int on final approach crs, 1600'.
 Crs and distance, Encanto Int to airport, 272°—4.8 miles.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.8 miles after passing Encanto Int turn right, climb to 2500' on SAN VOR R 326° to Mount Dad Int (SAN, R 326°, 3.2 DME), or when directed by ATC, climb to 1500' on localizer crs to Sargo Int (I-SAN, 10.1 DME).
 NOTE: If DME is lost proceed direct to LOM at 3700'. DME should not be used to determine aircraft position over MM, runway threshold, or runway touchdown point.
 DME located at glide slope site.
 CAUTION: Buildings and terrain, 469°—0.5 mile E of airport.
 *500-1 required for takeoff, Runway 9.

City, San Diego; State, Calif.; Airport name, San Diego International-Lindberg Field; Elev., 15'; Fac. Class., ILS; Ident., I-SAN; Procedure No. ILS-27 (back crs), Amdt. 6; Eff. date, 21 July 66; Sup. Amdt. No. 5; Dated, 16 Apr. 66

These procedures shall become effective on the dates specified therein.

(Secs. 307(c), 313(a), and 601 Federal Aviation Act of 1958 (49 U.S.C. 1348(c), 1354(a), 1421; 72 Stat. 749, 752, 775))

Issued in Washington, D.C., on June 17, 1966.

C. W. WALKER,
 Director, Flight Standards Service.

[F.R. Doc. 66-6844; Filed, July 5, 1966; 8:45 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Foreign Origin; Razor Blade Dispensers

§ 15.69 Foreign origin; razor blade dispensers.

(a) The Commission rendered an advisory opinion advising an American manufacturer of razor blades that it would not be necessary to disclose the country of origin of imported plastic razor blade dispensers and end clips into which were packed domestically manufactured blades, nor was there any objection to labeling the completed package as made in this country. The Commission was of the view that such a description would be taken as applying to the blades and that the purchaser would have no real concern with the origin of

the dispenser which is designed to be thrown away after the blades are used.

(b) The facts were that after the dispenser cases and end clips were received in this country, a spring and the blades would be inserted, a pusher slide added and the end clip put in place. The spring, slide or pusher and the blades would be manufactured in the United States.

(38 Stat. 717, as amended; 15 U.S.C. 41-58)

Issued: July 5, 1966.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA,
 Secretary.

[F.R. Doc. 66-7332; Filed, July 5, 1966; 8:47 a.m.]

PART 15—ADMINISTRATIVE OPINIONS AND RULINGS

Bargain Offers Based Upon Purchase of Other Merchandise

§ 15.70 Bargain offers based upon purchase of other merchandise.

(a) The Commission rendered an advisory opinion disapproving a retailer's

proposal to offer a free sewing machine with the purchase of a cabinet.

(b) Under the terms of the proposed plan, the retailer intends to place one sewing machine on display in various locations, such as bowling alleys, supermarkets, shopping centers, etc. A nearby sign will invite one to fill out a registration card and deposit same in a box. Each month one name will be drawn from the box in each location where the machine is on display and the winner will receive a free sewing machine with cabinet. In addition, 50 names will be drawn from each box and these persons will be sent a letter informing them they can obtain a free sewing machine head simply by purchasing the cabinet. According to the letter to be sent to the 50 winners, the cabinets range in price "from \$39.95."

(c) In its opinion, the Commission concluded as follows: " * * * that part of your plan which provides for prospective customers to win a free sewing machine with cabinet is unobjectionable. However, the Commission is of the opinion that part of the proposed plan which offers to 50 persons a 'free' sewing machine head for the price of the cabinet